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SEC. 2. Section 2 of said act is hereby amended to read as follows:

"SEC. 2. Any person, firm, or corporation desiring to operate a cold-storage or refrigerating warehouse wherein shall be stored articles of food for a period exceeding 30 days, shall make application in writing to the State board of health for that purpose, stating the location of its plant or plants. On receipt of the application the State board of health shall cause an examination to be made into the sanitary condition of said plant or plants and if found to be in a sanitary condition and otherwise properly equipped for the business of cold storage the State board of health shall cause a license to be issued authorizing the applicant to operate a cold-storage or refrigerating warehouse for and during a period of one year.

"The license shall be issued upon payment by the applicant of a license fee to the State board of health for each and every warehouse or plant operated by applicant under the provisions of this act for all cold-storage or refrigerating warehouses or plants having a capacity of 10,000 cubic feet, or less, a fee of \$15. For all cold-storage or refrigerating warehouses or plants having a capacity of more than 10,000 cubic feet and less than 50,000 cubic feet, a fee of \$30. For all cold-storage or refrigerating warehouses or plants having a capacity of more than 50,000 cubic feet and less than 100,000 cubic feet, a fee of \$40. For all cold-storage or refrigerating warehouses or plants having a capacity of 100,000 cubic feet or more, a fee of \$50.

"The secretary of the State board of health shall keep a full and correct account of all fees received under the provisions of this act, and shall, at least once each month, deposit all such fees collected with the State treasurer, and make a detailed report covering same to the State controller, and such moneys shall be credited to the traveling and contingent fund of the State board of health to be used exclusively for the purposes of this act: *Provided, however,* That nothing in this act contained shall apply to cold storage or cold-storage or refrigerating plants or warehouses as herein defined which are maintained or operated by restaurants, hotels, or exclusively retail establishments not storing articles of food for other persons."

Drugs—Adulterated or Misbranded—Guaranty of Manufacturer or Dealer. (Act Apr. 23, 1915.)

SECTION 1. Section 21 of an act entitled "An act for the prevention of the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded drugs, regulating the traffic in drugs, and providing penalties for violation thereof," approved March 11, 1907, is hereby amended so as to read as follows:

"SEC. 21. No dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer, or other party residing in the United States from whom he purchased such article, to the effect that the same is not adulterated or misbranded within the meaning of this act. Such guaranty may be either general or special. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties to afford protection must contain the name and address of the party or parties making the sales of such article to said dealer.

"If the guaranty be to the effect that such article is not adulterated or misbranded within the meaning of the national pure food act, approved June 30, 1906, it shall be sufficient for all the purposes of this act and have the same force and effect as though it referred to this act, except that a guaranty referring to the said national pure food act alone shall not be sufficient for the purpose of this act in any case where at any time the standard for the article concerned under this act is higher than the standard for a like article under said national pure food act. In case the wholesaler, jobber,

manufacturer, or other party making such guaranty to said dealer resides without this State and it appears from the certificate of the director of the State laboratory that such article or articles were adulterated or misbranded, within the meaning of this act or the national pure food act approved June 30, 1906, the district attorney must forthwith notify the Attorney General of the United States of such violation."

SEC. 2. This act shall be in force and effect from and after May 1, 1916: *Provided*, That as to products packed and labeled prior to May 1, 1916, in accordance with said national pure food act and with the regulations thereunder in force prior to May 5, 1914, this act shall be in force and effect from and after November 1, 1916.

Drugs—Permits for Sale of Certain Household Remedies in Rural Communities.
(Act May 27, 1915.)

SECTION 1. Section 16 of said act is hereby amended so as to read as follows:

"SEC. 16. The board of pharmacy shall issue a permit to general dealers in rural districts in which the conditions, in their judgment, do not justify the employment of a registered pharmacist, and where the store of such general dealer is not less than 3 miles distant from the store of a registered pharmacist; which said permit shall authorize the persons or firm named therein to sell in such locality, but not elsewhere, and under such restrictions and regulations as said board may from time to time adopt, the following simple household remedies and drugs, and no other, in such manner and form as may be hereafter authorized by said board, as follows, to wit:

"Tincture of arnica, spirits of camphor, almond oil, distilled extract witch-hazel, paregoric, sirup of ipecac, sirup of rhubarb, hive sirup, sweet spirits of niter, tincture of iron, Epsom salts, Rochelle salts, senna leaves, carbonate of magnesia, Seidlitz powders, quinine, cathartic pills, chamomile flowers, caraway seed, chlorate of potash, moth balls, plasters, salves, ointments, peroxide of hydrogen, copperas, gum camphor, blue ointment, asafetida, saffron, anise seed, saltpeter.

"The board shall charge an annual fee of \$5 in advance for such permit, and it shall be unlawful for any dealer to sell any drugs or ordinary household remedies without complying with the requirements of this section. Whenever a registered pharmacist shall establish a pharmacy within 3 miles by the shortest road from the place of business of such dealer, no further license shall be granted, and the license already issued shall be void: *Provided*, That the following drugs, medicines, and chemicals may be sold by grocers and dealers generally without restriction, viz:

"Glauber salts, vaseline, turpentine, condition powders, cream of tartar, carbonate of soda, bay rum, essence of Jamaica ginger, essence of peppermint, ammonia, alum, castor oil, bicarbonate of soda, chloride of lime, glycerine, witch-hazel, sheep dip, borax, sulphur, bluestone, flaxseed, insect powder, fly paper, ant poison, squirrel poison, and gopher poison, and arsenical poisons used for orchard spraying, when prepared and sold only in original and unbroken packages and labeled with the official poison labels."

Poisons—Sale of. (Act May 27, 1915.)

SECTION 1. Section 7 of an act entitled "An act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said act and said act were amended March 19, 1909, and as said act was amended April 25, 1911, and as said act was amended June 11, 1913,¹ is hereby amended to read as follows:

"SEC. 7. Any person violating any of the provisions of sections 8 or 8a of this act shall, upon conviction, be punished as follows, viz: For the first offense by a fine of not less than \$100, and not to exceed \$400, or by imprisonment for not less than 50

¹ Public Health Reports Oct. 10, 1913, p. 2130; Reprint 146, p. 24. See also *ex parte* Potter, Public Health Reports June 18, 1915, p. 1851, which is the report of a decision of a California court construing section 7 of this act before this amendment was adopted.